

5-560.

(d) "Employee" means a person that for compensation is employed to work in a facility identified in § 5-561 of this [article] SUBTITLE and who:

(1) cares for or supervises children in the facility;  
or

(2) has access to children who are cared for or supervised in the facility.

(e) (1) "Employer" means an owner, operator, proprietor, or manager of a facility identified in § 5-561 OF THIS SUBTITLE who has frequent contact with children who are cared for or supervised in the facility.

(2) "Employer" does not include a State or local agency responsible for the temporary or permanent placement of children in a facility identified in § 5-561 OF THIS SUBTITLE.

DRAFTER'S NOTE:

Error: Stylistic errors in § 5-560(d) and (e) of the Family Law Article.

Occurred: Ch. 110, Acts of 1986.

5-561.

(b) The following facilities shall require employees and employers to obtain a criminal background investigation under this Part VI OF THIS SUBTITLE:

(1) a [group day] CHILD care center required to be licensed under [Title 14 of the Health - General Article] PART VII OF THIS SUBTITLE;

(2) a child care home required to be licensed under [Title 5 of this article] THIS SUBTITLE or under Article 83C OF THE CODE;

(3) a child care institution required to be licensed under [Title 5 of this article] THIS SUBTITLE or under Article 83C OF THE CODE;

(4) a juvenile detention, correction, or treatment facility provided for in Article 83C OF THE CODE;

(5) a public school as defined in Title 1 of the Education Article;